

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claims 2, 3 and 5-7 have been canceled, without prejudice, and claim 1 has been amended.

More specifically, claim 1 has been amended to recite that the pivot axis of the mount and the handle forms an acute angle of approximately 30 to 60° with a longitudinal direction of the handle, as formerly recited in claim 3. As a result of this feature, good lateral pivoting of the handle relative to the mount can be achieved while at the same time "displacement" of the handle in the direction of the surface to be cleaned can be kept to a minimum. (See the disclosure in the specification at page 7, lines 1-6.)

In addition, claim 1 has also been amended to recite that a geometric line of intersection of a common pivoting plane of the mount and the handle with a surface to be cleaned is located below the squeegee with respect to a downward pulling direction of the cleaning device, along the lines formerly recited in claim 6. That is, as shown in Fig. 1, for example, the pivoting plane 13 of the mount 2 and handle 4 intersects with the surface 17 to be cleaned below the squeegee 3 with respect to the downward pulling direction 16 of the cleaning device 1. And as a result of this feature, the squeegee "lags behind" the pivoting

plane so as to improve the stability of the position of the mount, as described in the specification at page 8, line 10 to page 9, line 9.

It is respectfully submitted that the amendments to claim 1 are clarifying in nature only, and that all of the limitations added to claim 1 were already recited in claims 3 and 6. Accordingly, it is respectfully submitted that no new issues have been raised which require further consideration on the merits and/or a new search, and it is respectfully requested that the amendments to claim 1 be approved and entered under 37 CFR 1.116.

THE PRIOR ART REJECTION

Claims 1 and 5-7 were rejected under 35 USC 102 as being anticipated by USP 2,307,460 ("Griesen"), and claims 2-4 were rejected under 35 USC 103 as being obvious in view of Greisen.

These rejections, however, are respectfully traversed with respect to amended claim 1 and claim 4 depending therefrom.

As pointed out hereinabove, claim 1 has been amended to recite that the pivot axis of the mount and the handle forms an acute angle of approximately 30 to 60° with a longitudinal direction of the handle, and to recite that the geometric line of intersection of the common pivoting plane of the mount and the handle with a surface to be cleaned is located below the squeegee with respect to a downward pulling direction of the cleaning device. And as pointed out hereinabove, as a result of these features, good lateral pivoting of the handle relative to the

mount can be achieved while at the same time "displacement" of the handle in the direction of the surface to be cleaned can be kept to a minimum, and the squeegee "lags behind" the pivoting plane so as to improve the stability of the position of the mount.

Greisin, by contrast, merely discloses a conventional window washer's squeegee as an example of an apparatus to which the "novel" toggle clamping device disclosed in Greisin may be applied. And it is respectfully submitted that, contrary to the Examiner's assertion, there is absolutely no teaching or suggestion in Greisin that the handle of the conventional window washer's squeegee shown therein may be pivotably joined to a mount as according to the structure of the claimed present invention. Instead, in the conventional window washer's squeegee shown in Greisin, the handle and the mount are bolted together without any possibility of rotation against each other. And it is therefore respectfully submitted that there is no basis in fact for the Examiner's assertion that Greisen's screw and wing nut arrangement defines a "pivot axis".

It is respectfully pointed out, moreover, that even if the structure disclosed in Greisen were considered to have a "pivot axis" of the mount and the handle, such "pivot axis" would form substantially a right angle (or an angle of approximately 80°) with the longitudinal direction of the handle. By contrast, according to the present invention as recited in amended claim 1, the pivot axis of the mount and the handle forms an acute angle

of approximately 30 to 60° with the longitudinal direction of the handle. As a result, the squeegee of Greisen cannot achieve the above described advantageous effect of the claimed present invention whereby good lateral pivoting of the handle relative to the mount can be achieved while at the same time "displacement" of the handle in the direction of the surface to be cleaned can be kept to a minimum.

Still further, it is respectfully pointed out that even if the structure disclosed in Greisen were considered to have a "pivoting plane" of the mount and the handle, the geometric line of intersection of such "pivoting plane" with a surface to be cleaned would clearly be located above the squeegee with respect to a downward pulling direction. By contrast, according to the present invention as recited in amended claim 1, the geometric line of intersection of the common pivoting plane of the mount and the handle with a surface to be cleaned is located below the squeegee with respect to a downward pulling direction of the cleaning device. As a result, the squeegee of Greisen cannot achieve the above described advantageous effect of the claimed present invention whereby the squeegee "lags behind" the pivoting plane so as to improve the stability of the position of the mount.

In short, it is respectfully submitted that Greisen does not at all disclose, teach or suggest a cleaning device having a handle that is pivotably joined to a mount as according to the structure of the present invention as recited in amended claim 1.

And it is respectfully submitted that the Examiner's rejection of the claims in view of Greisen is clearly based on impermissible "hindsight analysis" which has long been forbidden by the Court of Appeals for the Federal Circuit.

In view of the foregoing, it is respectfully submitted that the cleaning device of the present invention as recited in amended claim 1 as well as claim 4 depending therefrom clearly patentably distinguishes over the teachings of Greisen under 35 USC 102 as well as under 35 USC 103.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

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Claim 1 has been amended as follows:

1. (Second Amended) A cleaning device comprising:

a mount;

a squeegee that is made of an elastic material and that is retained in the mount;

5 a stemlike handle that is joined to the mount pivotably about a pivot axis that extends perpendicular to a longitudinal direction of the squeegee;

wherein the pivot axis of the mount and the handle forms an acute angle of approximately 30 to 60° with a

10 longitudinal direction of the handle,

wherein a geometric line of intersection of a common pivoting plane of the mount and the handle with a surface to be cleaned is located below the squeegee with respect to a downward pulling direction of the cleaning device, and

15 , wherein the mount and the handle are adjustably connected by a screw connection to achieve desired clamping.